

## EXHIBIT 2

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6 Attorneys for Defendant, COUNTY OF  
7 SAN BERNARDINO

8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

10 GALE SOSTEK; and HERB SOSTEK,  
11 Plaintiffs,  
12 vs.  
13 COUNTY OF SAN BERNARDINO;  
14 and DOES 1-10, inclusive,  
15 Defendants.

Case No. 5:23-cv-02236-MRA (MRWx)

**NOTICE OF TAKING DEPOSITION  
OF EXPERT BENNET OMALU,  
M.D. AND PRODUCTION OF  
DOCUMENTS**

Date: October 31, 2024  
Time: 3:00 p.m.

Trial Date: January 28, 2025

17 **TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:**

18 **PLEASE TAKE NOTICE** that pursuant to the *Federal Rules of Civil Procedure*,  
19 *Rule 26(b)*, Defendant will take the oral deposition of **BENNET OMALU, M.D.** by  
20 remote video, with the deponent and all other parties, as well as the reporter, appearing  
21 remotely by video conference via computers to be located in any private, quiet, and well-lit  
22 place of their choosing, and before a person duly authorized to administer an oath who  
23 shall not be physically present with the deponent as follows:

24 DATE: October 31, 2024

25 TIME: 3:00 p.m.

26 PLACE: Remote Video

27 If for any reason the taking of the deposition is not completed on the scheduled date, it shall  
28

1 be continued from day to day, excluding Sundays and holidays until completed.

2 PLEASE TAKE NOTICE that pursuant to *Federal Rules of Civil Procedure 30(b)(2)*  
3 the noticing party(ies) hereby also reserves the right to record the deposition testimony by  
4 audio and video technology and/or stenographic method through the use of "realtime"  
5 transcription.

6 NOTICE IS HEREBY GIVEN that deponent's deposition transcript may be the  
7 official record and may be used in lieu of testimony at the time of trial of the above-entitled  
8 action.

9 PLEASE TAKE NOTICE THAT each participating attorney may be visible to all  
10 other participants, and their statements will be audible to all participants and will be subject  
11 to recording.

12 PLEASE TAKE NOTICE THAT all exhibits will be provided simultaneously and  
13 electronically to the witness and all participants.

14 PLEASE TAKE FURTHER NOTICE that if an interpreter is required, notice must  
15 be given by deponent's counsel at least forty-eight hours in advance. No interpreter will  
16 otherwise be provided.

17 PLEASE TAKE FURTHER NOTICE that the deponent is, pursuant to *Fed. R. Civ.*  
18 *P. 45* requested to bring to the deposition the following items and documents:

19 A written resume or curriculum vitae of the witness.

20 1. The entirety of all file materials ever assembled or maintained by the witness  
21 with respect to his evaluation of plaintiff's claims, or referring to his testimony in this case.

22 2. All records, reports and bills reviewed by the witness in connection with the  
23 plaintiff.

24 3. All other writings and documents either referred to or relied upon by the  
25 witness in the formulation of any of his opinion in this case.

26 4. All texts, articles, and other documentary material relied upon by the witness  
27 in the formulation of his opinions in this case.

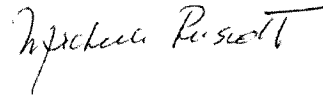
28 5. All bills, statements and other documents prepared or obtained by the witness

1 which reflect any and all charges rendered or to be rendered by him in connection with any  
2 of his work or testimony on this case.

3 All writings and documents of any type which reflect the dates, times and amount  
4 of time spent by the witness in connection with any and all work done by him on this case.  
5

6 DATED: October 25, 2024

WESIERSKI & ZUREK LLP



By: \_\_\_\_\_

MICHELLE R. PRESCOTT  
Attorneys for Defendant, COUNTY OF  
SAN BERNARDINO

WESIERSKI & ZUREK LLP

LAWYERS  
29 ORCHARD ROAD  
LAKE FOREST, CALIFORNIA 92630  
(949) 975-1000

**PROOF OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF ORANGE**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Orange, State of . My business address is 29 Orchard Road, Lake Forest, CA 92630.

On October 25, 2024, I served true copies of the following document(s) described as **NOTICE OF TAKING DEPOSITION OF EXPERT BENNET OMALU, M.D. AND PRODUCTION OF DOCUMENTS** on the interested parties in this action as follows:

Dale K. Galipo, Esq.  
Eric Valenzuela, Esq.  
Law Offices of Dale K. Galipo  
21800 Burbank Boulevard, Suite 310  
Woodland Hills, CA 91367  
Phone: (818) 347-3333  
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E-Mail: dalekgalipo@yahoo.com  
evalenzuela@galipolaw.com

Attorneys for Plaintiffs, GALE  
SOSTEK and HERB SOSTEK

**BY E-MAIL OR ELECTRONIC TRANSMISSION:** I caused a copy of the document(s) to be sent from e-mail address sfrazier@wzllp.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on October 25, 2024, at Lake Forest, California.

/s/ Sierra Frazier

Sierra Frazier

WESISKI & ZUREK LLP

LAWYERS

29 ORCHARD ROAD  
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(949) 975-1000